

# Exhibit C

## Garcia v. City of Los Angeles - Request to take PI motion off calendar

Gabriel Dermer <gabriel.dermer@lacity.org>

Thu 3/26/2020 7:33 PM

**To:** Shayla R. Myers <SMyers@lafla.org>

**Cc:** catherine sweetser <catherine.sdsdshhh@gmail.com>; Benjamin Herbert <benjamin.herbert@kirkland.com>; Onufer, Michael <michael.onufer@kirkland.com>; Felix Lebron <felix.lebron@lacity.org>; Scott Marcus <Scott.Marcus@lacity.org>; Patricia Ursea <patricia.ursea@lacity.org>; Jessica Mariani <jessica.mariani@lacity.org>

Dear Shayla,

Following up on our conversation of this afternoon, I write to see if the Plaintiffs are willing to take their motion for preliminary injunction off calendar without prejudice to rescheduling it if and when the circumstances warrant. As we discussed, due to the threat of COVID-19, the circumstances on the ground have changed remarkably since Plaintiffs filed their motion on February 26, 2020.

Critically for purposes of the PI, LASAN is currently only conducting spot-cleanings in its CARE and CARE+ operations, and is otherwise limiting enforcement of 56.11 per CDC and DPH guidelines.

Given the changed circumstances, and existing emergency safer-at-home orders in effect, we request that Plaintiffs put off the PI until after the COVID-19 threats have subsided, the emergency orders have been lifted, and "normalcy" returns. You mentioned Plaintiffs' appreciation for what the City is doing right now and the position in which it finds itself during this pandemic, and it would likewise be appreciated if the parties could pause the litigation during this uncertain time.

We also spoke about the *LA Alliance* case, and though we disagree, I want to reiterate my belief that that case will likely impact some aspect of *Garcia*. I can agree to give you whatever information we have on the resumption of noticed comprehensive cleanups so we can meet and confer when that happens. These are extraordinary times, and we'll do our best to notify you and your clients before things change from their current circumstances.

Please let us know whether Plaintiffs are amenable to taking their motion off calendar without prejudice to refiling. We would appreciate if you would let us know by tomorrow, March 27, so the City knows whether it needs to prepare its objections for filing on Monday. Alternatively, if you need more time, maybe we could agree on a stipulation to continue everything for another week to conserve party resources (and have a nice 3 day weekend). Thank you for your consideration. Stay safe.

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